



Operations Support Services Division
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February 18, 2009

AGENDA ITEM 5

TO: MEMBERS OF THE BENEFITS AND PROGRAM ADMINISTRATION COMMITTEE

- I. SUBJECT:** 2009 Member-At-Large Board Election – Notice of Election and Schedule of Events
- II. PROGRAM:** Administration
- III. RECOMMENDATION:** Staff Recommends the CalPERS Board of Administration Approve the Notice of Election and Schedule of Events for the 2009 Member-At-Large Board Election.
- IV. ANALYSIS:**

Staff is preparing to conduct an election for two Member-At-Large seats on the Board of Administration established by the Public Employees' Retirement Law (PERL), Government Code section 20090(g)(1). The current terms expire on January 15, 2010. Eligible active and retired members can vote and participate as candidates in this election. The incumbents are Charles Valdes and Kurato Shimada. Mr. Shimada has declared his intention to be a candidate for reelection, and Mr. Valdes has declared his intention not to be a candidate for reelection.

The Board election rules require that the position currently held by Charles Valdes be designated as Position A, and the position currently held by Kurato Shimada be designated as Position B. Each Member-At-Large candidate must be elected by a majority vote, which is 50 percent of votes cast plus one vote. If there is not a majority vote winner in the first election for either position, then a runoff election must be held between the two candidates who receive the highest number of votes in the election.

A potential candidate must submit a Nomination Petition for either Position A or Position B, but not both, to become a candidate for this election. Eligible members will vote separately for a candidate in the Position A and Position B election.

In December 2007, the Board voted to make the following election process and schedule changes effective with this 2009 Member-at-Large Election:

- Agenda item to present the proposed Notice of Election and Schedule of Events was moved from the month of November to February.
- The 200-word Candidate Statement and Nomination Acceptance/Ballot Designation forms must be submitted by the same deadline date as the Nomination Petition forms containing 250 valid member signatures. The deadline date to submit all of these forms is May 14, 2009.
- The first election voting period is reduced from six weeks to four weeks, the same as the runoff election period (if necessary).
- As a result of the first election voting period being reduced to four weeks, active members whose original ballot packages were returned by the postal service will not receive replacement ballot packages through their employers. Eligible members will be instructed in the Notice of Election to contact the Board Elections Office if they don't receive a ballot package by September 18, 2009.
- Members must provide only the last four digits of their SSN (instead of last six digits), name, and employer (or employer at retirement) on the candidate Nomination Petition form for CalPERS' member validation purposes.

The proposed Notice of Election (Attachment A) and Schedule of Events (Attachment B) for this election are attached for your approval. This proposed Schedule of Events is patterned after the schedule approved by the Board for the 2005 Member-at-Large Board elections, with the exception of the bulleted items listed above.

V. STRATEGIC PLAN:

This item is not a product of the Strategic Plan, but is part of the regular and ongoing workload of the Operations Support Services Division.

VI. RESULTS/COSTS:

The preliminary cost to conduct this election and possible runoff election is approximately \$3,914,000 for Fiscal Years 2008-2009 and 2009-2010. The costs will be further defined as part of the budget process.

Pursuant to PERL section 20095, the term of office for Board members is four years expiring on January 15. Accordingly, the new Board members' term of office will be effective January 16, 2010 through January 15, 2014.

Members of the Benefits and Program Administration Committee
February 18, 2009

Kim Malm, Chief
Operations Support Services Division

JOHN HIBER
Assistant Executive Officer, Administrative Services Branch

Attachments